

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: Which fees?

DELEGATE DELLA: Fees to file papers and court costs.

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: He would handle that.

THE CHAIRMAN: Delegate Della.

DELEGATE DELLA: Then collecting fees from hunting and marriage licenses and what not?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: In most courts this is done separately even though it is handled in the clerk's office. Even in our small county we have one room where we have a deputy who collects those fees and the other room where the hunting licenses are sold.

THE CHAIRMAN: Delegate Della.

DELEGATE DELLA: Does the state not recognize one clerk with reference to the cost that is collected and the fees that are collected?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: Yes, sir. This is an effort to change the existing system, that is correct.

THE CHAIRMAN: Any further questions of the minority spokesman?

Delegate Vecera.

DELEGATE VECERA: Delegate Dulany, how do you contemplate the phasing out period of the clerkship, the people now serving as clerks? Would there be assurance that the present clerks would now be retained or how do you contemplate this situation?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: Under the proposed transitory provisions that have been considered by the Committee on the Judicial Branch, the clerks would remain in office through their existing terms.

THE CHAIRMAN: Delegate Vecera.

DELEGATE VECERA: Who will handle the land records?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: The entire matter of handling land records is a legislative

matter. It is provided by law. The 600 functions that I have mentioned are handled by the clerk of the court. The legislature can very easily provide for an elected county clerk in every county where that had been performed by the court clerk. The court clerk should be retained for judicial functions, responsible to the judge and the judge should not be bothered with the other details of that that have no part of judicial function.

THE CHAIRMAN: Delegate Groh.

DELEGATE GROH: In counties where the superior court has special judges, I presume you contemplate one clerk to serve all judges?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: That is correct.

THE CHAIRMAN: Delegate Groh.

DELEGATE GROH: As far as selection of that clerk would it be up to the majority of the judges to concur?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: It would be prescribed by rule. I presume that would be adoptable.

THE CHAIRMAN: Delegate Bushong.

DELEGATE BUSHONG: There are a lot of records not only of the recorder's office aspect, but also the courts and all other kinds of records that are fully within the law. Which clerk is going to be in charge?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: Any records that are directly connected with the court would be under the supervision of the clerk of the court. The other records would be under the county clerk.

THE CHAIRMAN: Are there any further questions? Delegate Bothe.

DELEGATE BOTHE: Are there any areas in the judicial functions of the clerk in which he is called upon to exercise discretion or engage in policy-making functions?

THE CHAIRMAN: Delegate Dulany.

DELEGATE DULANY: There are none that I know of at all. He is an administrative official.

THE CHAIRMAN: Delegate Bennett.

DELEGATE BENNETT: Under the Majority Report, that provides that the